

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**  
**DOCKET NO. 2019-\_\_\_\_-C**

APPLICATION OF SQF, LLC FOR )  
 APPROVAL OF SALE OF PROPERTY )  
 TO SDC TILSON INVESTOR, LLC )  
 \_\_\_\_\_)

**MOTION FOR PROTECTIVE TREATMENT AND BASIS FOR FILING  
ATTACHMENT C AND ATTACHMENT E OF APPLICATION AS TRADE SECRET**

SQF, LLC (“SQF” or “Applicant”), pursuant to S.C. Code Ann. mo§ 39-8-10, *et seq.*, S.C. Code Ann. Regs. 103-804(S)(2), and other applicable authority, hereby files this Motion for Protective Treatment (“Motion”) in the above-captioned proceeding. SQF respectfully requests that the South Carolina Public Service Commission (“Commission”) treat as confidential the information contained in Attachment C and Attachment E to the above-captioned Application for approval of sale of property to SDC Tilson Investor, LLC (“SDC”). This motion is being filed concurrently with the SQF’s Application.

In support of its motion, SQF respectfully submits the following information:

**1. The legal name, address, and telephone number of the Applicant:**

SQF, LLC  
 16 Middle St.  
 Fourth Floor  
 Portland, ME 04101  
 Tel: (207) 671-0893

**2. All correspondence, notices, inquiries, and other communications regarding this Motion should be addressed to:**

Charles L.A. Terreni  
 Terreni Law Firm, LLC  
 1508 Lady Street

Columbia, South Carolina 29201  
 Tel. (803) 771-7228  
[charles.terreni@terrenilaw.com](mailto:charles.terreni@terrenilaw.com)

**with copies to:**

Nicholas Bournakel  
 SQF, LLC  
 16 Middle St.  
 Fourth Floor  
 Portland, ME 04101  
 Tel: (207) 671-0893  
 E-mail: [nbournakel@tilsontech.com](mailto:nbournakel@tilsontech.com)

**I. Description of Confidential Information**

SQF is providing copies of an investment agreement with SDC Tilson Investor, LLC (“SDC”); and a services agreement with Tilson Technology Management Inc. (“Tilson”). The information for which SQF asserts this confidentiality request is not information that is contained in materials which are routinely available to the general public, but instead is competitively sensitive business information (“Confidential Business Information”) about the Applicant’s finances and competitive business positions, as well as the finances and position of SQF’s former parent company, Tilson. If this confidential information were disclosed to the public, SQF, SDC, and Tilson would suffer significant and substantial harm and be at a competitive disadvantage in South Carolina, as well as in other states in which SQF is already or is intending to do business.

**II. Grounds for Claim of Confidentiality**

The financial information submitted by SQF in Attachment C and Attachment E of its Application would meet the definition of “trade secret” under the South Carolina Trade Secrets Act.<sup>1</sup>

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<sup>1</sup> A “Trade Secret” is defined as information that: “(i) derives independent economic value, actual or potential, from not being generally known to, and not being readily ascertainable by proper means by the public...and (ii) is the subject of efforts that are reasonable under the circumstances to maintain its secrecy.” S.C. Code Ann. § 39-8-20(5)(a).

As the Applicant is a privately-held entity, the above-referenced information is not contained in materials that are routinely available to other government agencies, including, Federal, state, and municipal agencies. Only upon request for various government applications or compliance is the information for which this Motion for Protective Treatment is asserted made available for such government agencies. Further, these entities treat this information as confidential because disclosure of such confidential business information would cause SQF, Tilson, and SDC to suffer competitive harm and disadvantage if it were publicly disclosed. The primary harmful effect of disclosure would be that it would provide sensitive financial information regarding SQF, SDC, and Tilson to competitors. Access to such financial information would allow SQF's competitors an unfair insight into SQF's competitive bidding position and business strategy, and with it, provide an unfair competitive advantage to these entities, allowing these competitors to place bids on the basis of this information, and adversely affect SQF's business and bidding positions unfairly. SQF requests that the asserted confidential information be treated as confidential indefinitely. SQF and Tilson have expended considerable resources in developing its business strategy and have taken reasonable steps to protect this information from being disseminated. The disclosure of the financial information of the type in **Attachment C** and **Attachment E** is limited to the Applicant's senior officers, counsel, and employees directly involved with Applicant's business and financial operations. In instances when SQF has submitted such information to public entities, it has done so under seal, marked as "confidential", and accompanied by requests for confidentiality.

For the foregoing reasons, SQF respectfully requests that the Authority grant SQF's Request for Confidentiality governing the information contained in **Attachment C** and **Attachment E**.

Respectfully submitted,

s/ *Charles L.A. Terreni*

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